

ADMINISTRATION AND FINANCE COMMITTEE

DATE: September 25, 2007

CALLED TO ORDER: 5:01 p.m.

ADJOURNED: 6:27 p.m.

ATTENDANCE

Attending Members

Joanne Sanders, Chair
Paul Bateman
Lance Langsford
Jackie Nytes
Lincoln Plowman

Absent Members

Vernon Brown
Lynn McWhirter

AGENDA

PROPOSAL NO. 386, 2007 - appoints Sue Tempero to the Equal Opportunity Advisory Board
"Do Pass" Vote 5-0

PROPOSAL NO. 387, 2007 - amends the Code regarding early retirement of employees covered by the AFSCME master agreement
"Do Pass as Amended" Vote 5-0

PROPOSAL NO. 388, 2007 - establishes the High Performance Government team for the purpose of promoting efficiency in the operations of all taxing units in Marion County
"Do Pass as Amended" Vote 4-1

PROPOSAL NO. 389, 2007 - amends Chapter 881 of the Code regarding dance permits and licenses
"Do Pass" Vote 4-0

PROPOSAL NO. 390, 2007 - appropriates \$258,880 in the 2007 Budget of the Marion County Election Board (County General Fund) to cover contractual expenses incurred during the 2006 election and to pay for supplies, software and workers for the November 2007 General Election
"Do Pass" Vote 4-0

PROPOSAL NO. 391, 2007 - transfers and appropriates \$300,000 in the 2007 Budget of the Marion County Clerk (County General Fund) to cover an anticipated shortage in postage expenses and other contractual expenses
"Do Pass" Vote 4-0

ADMINISTRATION AND FINANCE COMMITTEE

The Administration and Finance Committee of the City-County Council met on Tuesday September 25, 2007. Chair Joanne Sanders called the meeting to order at 5:01 p.m. with the following members present: Paul Bateman, Jackie Nytes, Lance Langsford and Lincoln Plowman. Absent were Vernon Brown and Lynn McWhirter.

Chair Sanders asked to take a moment of silence in honor of Elwood Black, Councillor Emeritus, who passed away this morning. She said that Elwood Black was very near and dear to many of the Councillors.

PROPOSAL NO. 386, 2007 - appoints Sue Tempero to the Equal Opportunity Advisory Board

Ms. Tempero said that she is before the Committee because she is really interested in an opportunity to serve the community in which she has lived for 10 years. She said that she previously lived in Des Moines, Iowa. Ms. Tempero stated that she is a Human Resource professional who has worked 17 years in the newspaper industry in Indianapolis and Des Moines. In her role as the Chief Human Resource Officer, she additionally served as the Equal Employment Opportunity (EEO) Officer. Ms. Tempero said that she welcomes the opportunity to serve in a role in which she can utilize her expertise and experience after being in the community for 10 years.

Councillor Nytes asked Ms. Tempero to comment on any experiences that she has had with regard to Gays, Lesbians, Bisexuals, and Transgendered (GLBT) issues. Ms. Tempero said that she has previously been involved in ensuring that both of the organizations that she worked with included sexual orientation in their EEO statements. She said that she also served on the Human Rights Commission in Des Moines, and later chaired that commission. GLBT was a big issue during that time and in response, the city of Des Moines passed an ordinance protecting people because of sexual orientation. Councillor Nytes said that she is pleased to hear that Ms. Tempero has experience in that area, as it is her understanding that there have been several complaints filed this year with the Commission in Indianapolis in response to the new provisions that the Council passed into law a couple of years ago.

Councillor Langsford asked if this position will fill the only vacancy for the EEO Board. NaTrina Moffett, Administration and Finance Committee Clerk, answered that she is unsure but can provide that information to the Committee. Councillor Langsford said that he agrees that the EEO Board is important and that Ms. Tempero will play an important role on that board.

Councillor Nytes moved, seconded by Councillor Langsford, to forward Proposal No. 386, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 5-0.

Councillor Nytes asked if the motion to forward Proposal No. 386, 2007 needs to be pending the successful completion of a background check. Ms. Moffett answered that the background check for Ms. Tempero has been completed.

PROPOSAL NO. 387, 2007 - amends the Code regarding early retirement of employees covered by the AFSCME master agreement

Allison Chestovich, Deputy Corporation Counsel, said that this proposal is simply a reflection of the City's successful negotiation of the American Federation of State, County and Municipal

Employees (AFSCME) master contract by updating the early retirement provision to reflect the new contract for 2007 to 2010. She said that Sections 5 and 5b of the original proposal erroneously list the dates as 2008 to 2010 and she would like to ask the Committee to make a technical change.

Councillor Nytes moved, seconded by Councillor Bateman, to technically amend Proposal No. 387, 2007 by inserting 2007 wherever necessary. The motion carried by a vote of 5-0.

Ms. Chestovich said that the effective date in Provision A also needs to be changed back to 2003. Councillor Bateman moved, seconded by Councillor Nytes, to strike "2007" from the first line of Provision A and reinstate "2003." The motion carried by a vote of 5-0.

Ms. Chestovich said that the terms of the contract are exactly the same, and only the years are being changed to reflect the new contract.

Councillor Nytes asked why provisions such as this exist in which only these types of changes need to take place. Ms. Chestovich answered that she is unsure, as she was not privy to the negotiations of the contract. She said that she is aware that there were discussions of whether or not the early retirement program needs to be included in the master contract rather than in an ordinance, but she believes that it was decided it would be easier this way.

Councillor Bateman moved, seconded by Councillor Nytes, to forward Proposal No. 387, 2007 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 5-0.

PROPOSAL NO. 388, 2007 - establishes the High Performance Government team for the purpose of promoting efficiency in the operations of all taxing units in Marion County

Suzannah Overholt, Mayor's Office, said that the Committee may have heard about the High Performance Government team as the Efficiency Commission in July, 2007. She said that this is the team that was announced by Mayor Bart Peterson and some of the Councillors. She said that the team stems from the outcry over property taxes and the continuing problem within Marion County and across Indiana of property taxes consisting of tax rates that are imposed by various units of local government that cannot be coordinated as they currently stand. Ms. Overholt said that the High Performance Government team has been formed as an effort to try to bring all of the taxing units within Marion County together to talk about how services are provided and delivered in the most efficient and effective manner possible for Marion County taxpayers. She said that the team is modeled in part after the Efficiency Commission that was recommended by the Chamber of Commerce in its Invest in Indianapolis Phase II report that was issued in October, 2006. She said that Mark Fisher with the Chamber of Commerce will talk to the Committee about that report and the Chamber's involvement. Ms. Overholt said that the Mayor's Office has been working with the Chamber on this team since for several months. She said that the goal of the team and the way that it is structured is to utilize the expertise of the business community to identify potential efficiency gains through things such as shared services, delivery or provision of services, joint purchasing and procurement. She said that the process is about taking the local government that currently exists and the various taxing entities in Marion County and making those entities as efficient and effective as possible by tapping on the resources in the business community. Ms. Overholt said that the process is not about restructuring units of government.

Councillor Langsford asked what if, during the study, it is discovered that a particular unit of government does not serve the purpose that it was thought to be intended. He asked if a discussion of the elimination of that unit of government will take place, as he stated that he feels that is important with the existence of approximately 63 taxing districts. Councillor Langsford said that in being blamed for raising property taxes, people need to understand that the responsibility was for only 30% of those taxes. However the other 70% of people's property taxes go to other taxing units. He said that he understands trying to make the taxing units effective and efficient, but what will be done if it is discovered that those units should not exist. Ms. Overholt answered that the High Performance Government team will be structured so that each of the members of the team will be assigned a service area to examine and will work with the service providers within that area to identify what needs to be done in the area. The team would then make recommendations based on their work to the entire High Performance Government team, which would then be reported back to the Council, the Mayor and the appropriate elected officials and governmental entities, who would then in turn decide what to do with the recommendation. Chair Sanders clarified that the Council could not take the recommendations and necessarily act on them if one of the items identified is recommended for elimination. She said that it would have to go to the appropriate entity for dissolution. However, she said that she believes that the members of the team take a broad view that could include recommending elimination. In fact, if eliminating a particular entity is one of the recommendations of the team, that information should clearly be heard by the Council and essentially acted upon within the purview of the proper authority.

Councillor Langsford asked how the team would be able to effectively get entities to the table to discuss their functions with the possibility of elimination. Ms. Overholt said that the hope is that the entities would see the opportunity to have open, candid discussion about the services they provide and how they provide those services. She gave an example of Public Works being an area that should be examined. Should the Director decide not to cooperate, the High Performance Government team would still be able to obtain the necessary information by sending a Public Records Request for all publicly disclosable information. Therefore, if an entity decided not to come to the table, it does not mean that the information about that department does not come and that the team would not be able to reach a recommendation as to how the department can better improve its function. She said that it is the hope that most of the entities would rather be present to provide their information than to have the team look at it without explanation.

Ms. Overholt distributed a handout (attached as Exhibit A) to the Committee that briefly summarizes the proposal. She discussed the structure of the team and the duties and responsibilities of the team members. Ms. Overholt said that she will walk through the ordinance if the Committee desires her to do so. Chair Sanders asked if anyone needs further review of the ordinance. The Committee answered in the negative.

Chair Sanders said that some of the Councillors have discussed introducing some amendments to the language. She asked Councillor Nytes if she would introduce the amendments suggested in a handout (attached as Exhibit B). Councillor Nytes answered in the affirmative.

Councillor Nytes commented that she is very excited to see the proposal, as she recalls discussion during budget when trying to figure out how the City was going to get through this year. She said that she believes that the Council did as much as possible in the budget process this year with the current structure, but at some point reorganization or an examination of how things are done is

necessary. Councillor Nytes said that the Council does not have the authority to reorganize the county government, as it is the responsibility of the Legislature. However, while the Legislature is trying to decide whether or not to accept the Council's recommendations, it is a good idea for the Council to look at who they have to serve the citizens and to make sure that everyone is doing the best job possible. She said that she believes that the High Performance Government team is a great tool to perform that function.

Councillor Nytes moved, seconded by Councillor Bateman, to amend Proposal No. 388, 2007 as described in Exhibit B.

Councillor Nytes said that her reason for the first amendment that suggests that the co-chairpersons work with the mayor, city-county council and Chamber of Commerce is to call attention to the very significant role that the co-chairpersons are going to have in guiding the effort and she wants to ensure that there is significant consultation and conversation among the suggested partners. She said that she believes that the mayor, the council, and the Chamber are three very committed partners to making this project work, and she believes that the appointment that the co-chairpersons will make going forward are appointments that should be discussed among the group. She is not suggesting that the partners have any type of approval action, but it should be clear that it is not something that can happen without continued consultation.

Councillor Nytes said that the second part of the amendment is suggested because she understands it as referring to the specific management tool, "Total Quality Management." She said that she believes that the phrase describes a copyrighted, trademarked, and recognized process. In addition, she said that she does not feel that the team should go on forever, with a life of its own and there be no one checking to see if it is still fulfilling its purpose. She suggested adding two sentences to Sec. 285-801(h) because it may be assumed that the team is going to be purposeful, but it would not be good for the Council if it later decided to do away with the team. She said that she believes that its productivity should be reaffirmed and recommitted for continuation. Chair Sanders added that the same would apply if the team is not serving its purpose. Councillor Nytes agreed, and stated that a point of review should be included in the proposal as opposed to the Council facing criticism for asking to review the team.

Councillor Nytes said that the final suggested amendment changes the quorum from six to seven because she believes that the number is rounded up for quorums.

Councillor Plowman said that he appreciates seeing amendments to the Proposal. However, he said that he would like to see a bipartisan effort when looking at doing good government. The proposal suggests that both of the co-chairpersons can be Democrat or of the same party. He said that he has previously asked why things cannot be done 50/50 and people have responded that things would never get done. But his response is to force people to work together for good government. He asked why the Greater Indianapolis Chamber of Commerce is being singled out in this particular effort when there are other organizations that do a great job in Marion County, such as Mibor and The Building Trades. He said that he does not see a big advantage to singling out the Chamber. Chair Sanders responded that having no more than six out of 11 people from the same party on the team is as bipartisan as possible. She agreed that it is conceivable that the two co-chairs may end up being Democrats, but the team will still be bipartisan. Chair Sanders asked Councillor Plowman if he has any amendments to promote. He answered that he was anticipating some amendments by

the Minority Leader, but there are none in front of them. Chair Sanders said that she has not received any other amendments.

Councillor Langsford said that he agrees with Councillor Plowman. He said that he believes that there are some governmental units that really need to be thoroughly examined, and that this is a good avenue in which to do it. He said that it would not seem so political if it is done in a bipartisan fashion, and in looking at the processes of various entities, it should not appear to be a political effort. Councillor Langsford said that he will vote for the proposal, but he would like to discuss some of the amendments with other co-sponsors, which are Councillors Borst, Keller, Pfisterer, and Vaughn, to make sure that they fully understand the function of the ordinance. Chair Sanders said that she appreciates Councillor Langsford's comments, but she said that the committee meeting has been on the calendar since the beginning of the year. This particular proposal was introduced and all of the sponsors received the information regarding the proposal, as well as the notice of this meeting, and she anticipates that if there are any other suggested amendments that they will be offered on the Council floor. She said that the Council typically handles amendments in the Committee hearing because it constitutes the public hearing. She expressed her appreciation for Councillor Langsford's support and the support of all of the sponsors of the proposal.

Councillor Nytes responded to Councillor Plowman's question of the Chamber, by stating that the Chamber of Commerce has a history of sticking out their necks and taking leadership on things that are sometimes difficult for elected officials to stand up and address. She referenced the Gift Report that was done by the Chamber of Commerce approximately 15 years ago. She said that she commends the Chamber for their bravery over the years, as some of the things that they have done have been really difficult and challenging. Their support for the IPS improvements is an example that has not turned out very well, but it was the right thing to do. Councillor Nytes said that the Chamber has produced two different reports in the last seven years that have been aimed at trying to sort through the numerous organizations and processes that make up Marion County government. She said that she believes that the Chamber has stayed at the table through all of the ups and downs of the last seven years as the Council has tried to look for ways to provide better governance. She said that there are a variety of other groups such as the ones that Councillor Plowman mentioned, that have believed that they can also help at times. She said that she does not want to discount any of those groups and their roles, as she is familiar with Mibor and agrees that they have been very helpful. However, she believes that the Chamber has been at the table most consistently for the longest period of time, and she believes that is why they are seen as having a strong role in this proposal. Chair Sanders added that this is the Chamber's area of expertise. She said that she is not suggesting that all of government be run like a business, but she believes that some of the practices of business can be applied within the government setting to see efficiencies. However there are things that government will always be better at promoting and providing. Therefore, she recognizes a role for the Chamber in this particular case, because they can lead the Council to individuals who have the expertise that is sought. She said that she believes that it is important to note that this is a volunteer commitment and it brings people from the private sector who want to commit some of their time and effort to local government, which reflects public interest. She said that she supports the Chamber's involvement in this effort.

Councillor Langsford asked what the criteria is for members possessing significant experience in the corporate sector. Ms. Overholt said that the concept is for the member to have management-level experience, which includes some decision making responsibility preferably in a large

corporate environment. She said that it is the hope that chosen members of the team would have experience and responsibility that coincides with some of the equivalent experiences and responsibilities in the area that they will be examining. She said that the requirement is meant to be a guideline, but may be fairly subjective. Ms. Overholt said more importantly, the co-chairs of the team need to be quality people who can be trusted to make good decisions, identify quality people who will steer the group in the right direction, and understand the objectives of their assignment. Councillor Langsford said that he agrees that the co-chairs will readily establish the credibility of this study commission.

Councillor Nytes called for the question, which carried by a unanimous vote. The motion to amend Proposal No. 388, 2007 as described in Exhibit B carried by a vote of 4-1, with Councillor Plowman casting the negative vote.

Mr. Fisher, Chamber of Commerce, said that the Greater Indianapolis Chamber of Commerce has a vision for Indianapolis and the Central Indiana Region to be the best region in the world for quality of life and business development. Unfortunately, this vision primarily remains constrained by a cumbersome and unwieldy fiscal structure that is not capable of delivering and supporting an effective, efficient enterprise of local government. He said that the fact is that local governments across the state and in Marion County are consumed by continual fiscal crises and quick fix solutions. Such crisis management makes it difficult to adopt a vision, strategize, and seek aggressive economic development policies because all focus is on keeping local government afloat. Mr. Fisher said that the Chamber's Invest in Indianapolis Phase II report that was released in October, 2006 stated that the Chamber recommended an immediate creation of an inter-governmental efficiency commission comprised of all city and county agencies, municipal corporations, township officials and others in local government. It was the Chamber's vision that the commission would be chartered to identify potential efficiency gains and explore implementation of quality control and efficiency systems to improve the processes in the delivery or provision of government services in the operations across all city, county, township units, governmental units, agencies, municipal corporations, and school corporations. Mr. Fisher said that the High Performance Government Team is a huge step toward a leaner, more efficient, and most importantly, more effective local government in Marion County.

Councillor Langsford asked if Mr. Fisher has an idea of who should serve as co-chair or will the Council accept recommendations from the Chamber as to who they feel will best serve in the position. Ms. Overholt said that the Chamber does have names of people that they would recommend, but the Council will decide how they want to determine who will be chosen or recommended. Mr. Fisher said that the Chamber is also interested in surveying their membership and trying to get a broad spectrum of people from different business types to participate, but that process has not been completed. Chair Sanders asked if the people would be interviewed. Mr. Fisher answered in the affirmative, but stated that the Chamber would only make recommendations. Ms. Overholt said the Mayor's Office and the Chamber have identified some people but would like to keep the information undisclosed until more concrete decisions have been made. Councillor Langsford said that he simply wanted to know if the Chamber would be allowed to provide recommendations. Mr. Fisher said that they have started collecting names and will continue to do so until they have reached a significant number.

Councillor Plowman asked why there will be members on the board that cannot vote. Ms. Overholt answered that the people who would not be able to vote are the Controller and two Councillors. She said that the thought was that the voting members of the team cannot be elected officials or employees of elected officials, as the desire is to have people from the outside taking a critical and objective view of the services that local governmental agencies are responsible for providing. She said that the Controller and Council members are named ex-officio members with the thought of the Controller having access to all of the City-County budgets and the Councillors having the ability to control the budgets. She said that the Controller and Councillors could also provide some insight that the Team may need. Councillor Plowman said that he understands that the Controller would have all of the necessary numbers, but he feels that the Council members would have a direct stake in the outcome of any of the decisions because it represents their constituents, and they should have a vote if on the Team.

Councillor Nytes moved, seconded by Councillor Langsford, to forward Proposal No. 388, 2007 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 4-1, with Councillor Plowman casting the negative vote.

Councillor Nytes said that the proposal referenced that all of the individuals that would serve on the Team would volunteer their time and she assumes that would also apply to the Councillors who would serve on the Team. She said that Councillors are not able to collect per diems on all of their additional duties like State Officials, which is another example of the extent to which Councillors spend a great deal of time and service to the City for which they are not compensated.

PROPOSAL NO. 389, 2007 - amends Chapter 881 of the Code regarding dance permits and licenses

Kareem Howell, Office of Corporation Counsel, said that he is here on behalf of the Controller's Office to discuss the proposal. He said that the motivation behind the suggested changes was initiated and suggested by the Indianapolis Metropolitan Police Department (IMPD). He said that IMPD indicated that, based on their experiences in the community, there were particular changes to the code that could effectively boost their ability to regulate dances for which the city gives permits and licenses. Mr. Howell said that Captain Chris Boomershine will discuss some of the issues that IMPD has seen in dealing with dances within the community.

Captain Boomershine, IMPD, said that the branch that he supervises includes Nuisance Abatement under Special Investigator, Margaret Bader, who handles many of the issues related in Nuisance Abatement, one of which is unlicensed dances. In dealing with unlicensed dances, IMPD encounters zoning issues because many of the dances occur in locations with inadequate parking. This leads to bleeding over into the neighborhood, which disturbs many residential communities. There are also noise issues related to unlicensed dances, which typically occur on the weekend and go into the early morning hours which is also disturbing to residents. Captain Boomershine said that many of the events violate building codes, as they are held in warehouses and vacant buildings, and involve a change of use issue in many instances. He said that fire safety is a big issue in dealing with these dances, as IMPD has noticed pad-locked doors, exposed insulation, and exposed wiring. He commented that there was an instance on the East Coast where an event was held at a club that had exposed insulation and it caught on fire and there was a party in Chicago where a balcony collapsed due to improper enforcement. There were fatalities involved in both instances.

Captain Boomershine said that IMPD is seeing buildings with one way in and one way out, no emergency lighting, no exit signs, and issues of overcrowding. He said that some of the Law Enforcement issues include:

- Fights and instances of violence because of improper planning and improper security.
- Shootings and shots fired
 - Captain Boomershine said that he was at a location earlier this year, and after he left, a juvenile was shot in the head and hand.
 - There was another instance where a group of individuals left an unlicensed event and a shooting occurred that involved heavy-powered rifles such as AK47s.
- Instances of minors being served/consuming alcohol.
- Dances are cash-driven, and therefore, taxes are not being paid on the revenue.

Mr. Howell briefly discussed the changes to the original ordinance. He said that the first change is to add the words, "Whenever a dance requiring a permit or annual license is held on premises not owned or leased for a term of one (1) year or more by the person holding the dance, the owner or lessee of the property and the person holding the dance must each first obtain a permit or annual license." to the end of Section 881-1. He said that the current proposal does not require a permit or a license for a person who holds a one or two-year permit for the sale of alcohol and who holds a dance where entry is limited to persons who are at least 21 years old. Mr. Howell said that the current application is not thorough enough and does not require enough of the type of information that is needed from the applicants. The application requirements will change to include the name; birth date; address and phone numbers of persons who will be present and responsible for managing the dance for the duration of the dance; the applicants retail merchants certificate, federal ID number, and alcoholic beverage permit number; and information on the premises regarding license for sale of alcohol (if applicable) and lease term.

Councillor Plowman referenced Section 881-2 (3), where the age limit has been increased from 18 years to 21 years. He asked if it prohibits restaurants with bars in them to allow 18 year-olds to work in the restaurant. Mr. Howell answered that those establishments would only need a dance permit if they allow music to be played, as a dance permit is only necessary if dancing is permitted in the establishment. If 18-year olds are allowed in the establishment, dancing is permitted, and alcohol is served, that establishment would have to obtain a permit. He said that the proposal, as written, does not restrict employees of the establishment, only customers.

Mr. Howell said that the ordinance also proposes to increase the liability insurance for applicants from \$500,000 to \$1 million. In addition, the Controller will be enabled to deny an applicant who does not provide contact information for a person 21 years or older who will be present during the duration of the dance and who will allow persons under 21 years to attend a dance held on premises licensed for the sale of alcohol or within 500 feet of such a licensed premises. He said that the ordinance proposes to prohibit permits or licenses or dances between the hours of midnight and 6:00 a.m. if entry is not limited to persons 18 years or older. The proposal will also increase the permit fee from \$17 to \$75 and the license fee from \$23 to \$80. Mr. Howell said that there were some changes made to the previous ordinance that were simply to update the ordinance, as the last changes were made around 1997.

Councillor Nytes said that she is generally in support of the changes, as she has had rent parties in her district that have had a very negative impact on neighbors. However, she said that she feels that the addition of the word "misdemeanor" in some places in the ordinance is impractical. She asked how realistic it is to restrict people that have misdemeanors, as people can have a range of misdemeanors on their records from 10 years ago that are no longer a reflection on how that person is currently living. Mr. Howell answered that under the current ordinance, the Controller has the discretion to deny a license or permit based on a misdemeanor. Therefore, it provides the Controller's Office with the ability to look at the class of the misdemeanor or the crime associated with the misdemeanor, and to determine if it is relevant to issuing the license or permit. He said that a person is not prohibited from obtaining a permit or license just because they have a misdemeanor. Chair Sanders said that how the proposal is worded seems to imply that a person with a misdemeanor is prohibited. Councillor Nytes said that she believes that the reference to "may" refuse to issue suggests that it is not automatically refused. Chair Sanders said that Section 881-5 does not include the word "may." Councillor Nytes said that it is stated in the paragraphs preceding the reference of misdemeanor. She stated that Section 881-3, subsection 7 also references a misdemeanor. Mr. Howell said that the reference in subsection 7 is simply requesting that the applicant disclose the information. Councillor Nytes said that she understands that as a requirement of the person who is applying for the license because it is impractical to expect that information to be given on anyone who will be working the dance. She said that the reality is that the permit is filled out several days or weeks before the dance and a person could still be trying to figure out who will be staffing the event. She said that she just wants to be sure that the ordinance does not make it unduly difficult for those trying to follow the rules. Captain Boomershine said that he believes that it is also dependent on the truthfulness of the applicant.

Councillor Langsford asked if a background check is done on people applying for a license or permit. Mr. Howell answered in the affirmative and stated that the process includes evaluating how a person has filled out the application and with regard to what is later received in the background check to see if the person was truthful. Councillor Langsford said that he agrees that people may improperly fill out the application to obtain a permit. He asked where the majority of the unlicensed dances occur. Captain Boomershine answered that most of them take place in Warren Township. Councillor Langsford asked if it is a common practice throughout the county. Captain Boomershine answered that it is a common practice throughout the state of Indiana. He said that Anderson Police Department recently reported a nasty shoot-out after one of their events. Unfortunately, the membership of many social and cultural clubs are diminishing, as the days of "Fish Fry's" and "Family Outings" are over and clubs are trying to survive and generate revenue, so in many instances they rent the premises to people without asking questions and without investigating the lessees.

Chair Sanders asked how far in advance of an event someone is required to apply for a permit or license. Mr. Howell answered that he is unsure, but it cannot be less than three business days, because that is how long it takes to receive a background check. Chair Sanders asked if a dance promoter who does not have an official premise is eligible for an annual license or is it necessary to get a permit for each event. Mr. Howell said that the proposed additional sentence in Section 881-1 requires that the premise has to be owned or leased for one year or more by the person holding the dance. If not, the person holding the dance and the owner of the premise must apply for a permit or license. Chair Sanders asked if the annual license is tied to a location or a person. Mr. Howell said that he believes that it is tied to a location. Chair Sanders stated that if the license is tied to a person

and the person has the ability to move from location to location, it would defeat the purpose of the changes. Captain Boomershine answered that it is in the ordinance and tied to a location because each location has to conform to certain standards that are set out in the ordinance, such as an Entertainment Permit being properly zoned. He said a person holding a license does not permit that person to automatically move from location to location.

Councillor Langsford moved, seconded by Councillor Plowman, to forward Proposal No. 389, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 4-0.

PROPOSAL NO. 390, 2007 - appropriates \$258,880 in the 2007 Budget of the Marion County Election Board (County General Fund) to cover contractual expenses incurred during the 2006 election and to pay for supplies, software and workers for the November 2007 General Election

Beth White, Marion County Clerk, said that it has been less than a month since the Clerk's Office was before the Committee to talk about the Budget. She said that the ordinance was forecast in their budget presentation. Ms. White said that the Clerk's Office is attempting to cover a shortfall of expenditures that were incurred in 2006 and paid out of the 2007 appropriation of \$56,700. In addition, there was significant under-budgeting in Other Contractual Services, Printing, and Legal Services based on the actual numbers from 2006 and trending for 2007. She said that \$30,000 is requested for Additional Supplies after discovering the condition of the supplies at their warehouse. Extra ballot boxes were needed and the seals and brail instructions needed to be reprinted because they were outdated and no longer in compliance with the law. She said that the Clerk's Office is also asking for an additional \$6,000 for additional Election Day workers and \$5,500 for a better computer tracking system. Ms. White said that the Clerk's Office is already implementing the tracking system, TRS, which is a registration system that is working extremely well. In addition, \$15,680 was received in 2007 for expenditures relating to 2006 and 2007, that was a reimbursement from the Secretary of State's Office for Help America Vote funding. It had been requested in 2006 and received in 2007, and was put into Miscellaneous Revenue. She said that the Clerk's Office wants to move that money to Character 03 so that it can be utilized for the intended purpose of paying a moving vendor for their additional work for the election process. Ms. White provided the following information:

- Sub-object 05004, Personal Services - \$12,700 includes \$6,700 that was paid to 2006 workers in 2007 and \$6,000 that is being requested for additional 2007 workers.
- Sub-object 29904, Election-related expenses – Character 02 request for supplies.
- Sub-object 39017, Other Contractual Services – involves the election vendor, ES&S, the moving vendor, and security at the warehouse.
- Sub-object 37104, Polling Place Rent - \$20,000 that was not paid in 2006, but was for the 2006 General Election and was paid in 2007.
- Sub-object 34903 - \$5,500 Licensing for Computer System
- Sub-object 34100 - \$35,000 Contractual printing due to under-budgeting
- Sub-object 36104, Legal Services - \$45,000 due to under-budgeting, as the actual amount for 200 was \$109,000 and the budget for 2007 was \$30,300.

Chair Sanders said that the Committee does not have the detailed information of the requests, only that the requested amount includes \$216,180 under Character 03. However, the Clerk's breakdown is acceptable. Chair Sanders asked if the amount simply needs to be appropriated out of County

General into the Clerk's budget based on the Ms. White's discussion. Ms. White answered in the affirmative.

Councillor Nytes noted the requested amount was already taken into consideration in the 16-line statements during the budget process. And therefore, the end-of-year fund balances for County General, 2007 and projected for 2008, reflected this appropriation.

Councillor Langsford asked what workers would be covered by the \$6,000. Ms. White answered that the sub-object actually breaks down into different kinds of workers; however, the additional requested workers are for the warehouse in particular. She said that the Clerk's Office is under-budgeted for General Election Day support, such as for technicians, drivers, and suppliers. Clerks, Judges, and Inspectors budgets are properly budgeted. Councillor Langsford asked if the Clerk's Office has enough people to staff the upcoming election. Ms. White answered in the affirmative, and stated that the Clerk's Office is doing very well in recruiting inspectors and other poll workers.

Councillor Nytes moved, seconded by Councillor Langsford, to forward Proposal No. 390, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 4-0.

PROPOSAL NO. 391, 2007 - transfers and appropriates \$300,000 in the 2007 Budget of the Marion County Clerk (County General Fund) to cover an anticipated shortage in postage expenses and other contractual expenses

Ms. White said that she went before the Public Safety Committee during the budget process and discussed the Clerk's Office's stresses on their 2007 budget. She said that the Clerk's Office is experiencing a dramatic increase in the amount for postage, which includes the rate increase and a new requirement for probate cases. She said that the Legislature recently changed the requirements for probate cases to be sent out by certified mail. This resulted in an increase from \$.41 to \$6.80 for a dramatic amount of filings that the Clerk's Office handles. Additionally, the Clerk's Office was dramatically under-budgeted for 2007. Ms. White said that she is requesting an additional \$300,000 in Character 03 that is primarily postage, but also includes other under-budgeted issues, such as telephone services, contractual spending, and a few other Character 03 expenses. Ms. White added that \$120,000 is being offset from Character 01 due to a creative use of "Incentive Funds." She said that the Clerk's Office receives federal money called "Incentive Funds" from the State for an effective operation of the child support program. Those funds can be used for a variety of things, including salaries. However, for some reason it has never been utilized for salaries in the past. Therefore, approximately \$120,000 of Character 01 salaries for the Child Support staff has been moved onto "Incentive Funds." Ms. White commended Melanie Chastain, Chief Deputy Clerk, Clerk's Office, and her staff for being creative and continuing to look for ways to reduce the stress on County General operating revenue. She said that the Clerk's Office is only asking for an \$180,000 appropriation for fund balance because of the offset.

Chair Sanders asked what constitutes getting the "Incentive Funds." Ms. Chastain said that there are several criteria dealing exclusively with Title IV-D and the enforcement of child support collections. She said that the criteria are current collections, support order, arrearage collections, cost-effectiveness, and paternity establishment. She said that the federal government looks at the county as a whole and determines what the county's allocation will be, of which the Clerk's Office receives 22%. Chair Sanders asked if the Clerk's Office receives 22% of the support collected. Ms.

Chastain answered in the negative, and it is 22% of the incentive. Chair Sanders asked if the individual who is paying support is funding the "Incentive Fund." Ms. Chastain answered in the negative. Ms. White added that the IV-D collection involves the Prosecutor's Office and is not a regular domestic case. It is a case in which paternity is established and the Prosecutor's Office enforces the order. The "Incentive Fund" was created because the federal government wants to motivate counties to be aggressive in establishing orders and enforcing them. Ms. White said that the Marion County Prosecutor, the Title IV-D Courts and the magistrates that work in the Title IV-D courts are very aggressive which allows the county to recoup those federal funds that can be used for the administration of the program. The idea is that the county can be more effective when additional revenue is available.

Councillor Langsford moved, seconded by Councillor Nytes, to forward Proposal No. 391, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 4-0.

With no further business pending, and upon motion duly made, the Administration and Finance Committee of the City-County Council was adjourned at 6:27 p.m.

Respectfully submitted,

Joanne Sanders, Chair
Administration and Finance Committee

MEMORANDUM

To: Administration and Finance Committee Members
From: Suzannah Wilson Overholt *SW*
CC: Justin Ohlemiller, Robert Clifford, Keith Cheney, Kobi Wright, Aaron Haith
Date: September 25, 2007
Re: Proposal No. 388, 2007

Proposal No. 388, 2007 establishes the efficiency commission announced by Mayor Peterson on July 21, denoting it the High Performance Government Team. The purpose of the commission is to review the operations of all taxing units, to assist those units in finding ways to operate more efficiently and effectively, and to make recommendations to the mayor, city-county council, elected officials and taxing units regarding how to implement the team's findings.

The key terms of the proposal are as follows:

- Structure
 - Thirteen (13) voting members:
 - Two (2) co-chairs, with one (1) appointed by the Council and one (1) appointed by the Mayor.
 - Eleven (11) members appointed by the co-chairs, with no more than six (6) being from the same political party.
 - Members are required to have significant experience in the corporate sector, preferably with significant experience in total quality management.
 - Ex officio members:
 - Controller or his designee; and
 - Two (2) councilors of different political parties.
- Duties and Responsibilities
 - To create project groups to examine services provided by local units of government. Examples include schools, fire service, law enforcement, poor relief and human services, child welfare, public works and infrastructure, libraries, public transportation, assessment of property, criminal justice system, and planning and development.
 - A member of the team will serve as a leader for each project group.
 - The project group leaders will invite the appropriate units of government to participate.
 - The project groups will provide reports and recommendations to the entire team.

Proposal No. 388, 2007
MOTION TO AMEND

Mr. Chairman:

respectfully move to amend Proposal No. 388, 2007, in five (5) instances, as follows:

- **Sec. 285-801(c)(2):**
Delete the comma after “co-chairpersons” and insert the following: “in collaboration with the mayor, city-county council and Greater Indianapolis Chamber of Commerce and”.
- **Sec. 285-801(g):**
Capitalize “total quality management”.

Sec. 285-801(h):

After the first sentence insert a new sentence stating as follows: “At the end of 2009, the city-county council shall assess the effectiveness of this effort. If appropriate, the city-county council will re-authorize continuation of the team.”

At the beginning of the original second sentence, insert “If the team is re-authorized,” and make “All” lower case.

- **Sec. 285-801(i):**
Replace “six (6)” with “seven (7)”.

Councillor